

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

DARIUS PETTWAY, SR.,	:	
Petitioner,	:	
	:	CIVIL ACTION 11-0239-WS-M
v.	:	
	:	CRIMINAL ACTION 08-00320-WS-M
UNITED STATES OF AMERICA,	:	
Respondent.	:	

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is ORDERED that Petitioner's Motion to Vacate (Doc. 44) be DENIED and that this action be DISMISSED. It is further recommended that, should Petitioner file a certificate of appealability, it be denied as he is not entitled to appeal *in forma pauperis*.

DONE this 26th day of June, 2013.

s/WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE